IN THE CLAIMS

This listing of claims replaces all previous listings:

1. (Currently Amended) A non-aqueous electrolyte battery comprising:

an anode having an anode mixture containing an anode active material;

a cathode having a cathode mixture containing a cathode active material;

a separator between the anode and the cathode;

an electrolyte including a polymer material and an electrolyte salt contained therein;

and

a film-shaped exterior material housing therein the anode, the cathode, the separator and the electrolyte,

wherein,

the anode mixture includes a gas adsorbing carbon material ~~including an electroconductive carbon black of very high purity~~ having a specific surface area not less than 30 m^2/g,

the cathode mixture includes a second gas adsorbing carbon material and an activated carbon, and

the activated carbon is in an amount not less than 0.2 wt% and not larger than 8 wt% of the total weight of the cathode mixture.

2. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the first gas adsorbing carbon material further includes an activated carbon.

3. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the first gas adsorbing carbon material[[,]] is in an amount not less than 0.1 wt% and not larger than 6 wt% of the total weight of the anode mixture.

4. (Cancelled)

5. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein, the second gas adsorbing carbon material is carbon black, and the carbon black is in an amount not less than 0.2 wt% and not larger than 4 wt% of the total weight of the cathode ~~anode~~ mixture.

6. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein the film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

7. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein the electrolyte is a gel electrolyte including a non-aqueous solvent, contained in the polymer material, in addition to the electrolyte salt.

8. (Withdrawn) A non-aqueous electrolyte battery comprising

a battery device including an anode having an anode mixture layer containing an anode active material on an anode current collector, said anode having an exposed anode current collector portion exposing said anode current collector, and a cathode including a cathode mixture layer containing a cathode active material on a cathode current collector, said cathode having an exposed cathode current collector portion exposing said cathode current collector, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material formed of a carbonaceous material with specific surface not less than 30 m^2/g, for adsorbing a gas evolved within the battery; and

a film-shaped exterior material housing therein said battery device, said solid electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to said exposed anode current collector portion and/or the exposed cathode current collector portion.

9. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said gas adsorbing carbon layer contains a gas adsorbing carbon material composed of one or both of carbon black and activated carbon.

10. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

11. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said non-aqueous electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

12. (Withdrawn) A non-aqueous electrolyte battery comprising

a battery device including an anode having an anode mixture containing an anode active material, and a cathode having a cathode mixture containing a cathode active material, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material composed of a carbonaceous material with a specific surface not less than 30 m^2/g, for adsorbing a gas evolved in the battery; and

a film-shaped exterior material housing therein said battery device, said non-aqueous electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to an inner surface of said film-shaped exterior material facing said battery device.

13. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said gas adsorbing carbon layer includes one or both of carbon black and activated carbon.

14. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

15. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said solid electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

16. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the [[said]] specific surface area is not less than 130 [[180]] m^2/g.

17. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein the electrolyte includes an organic high molecular weight material that is poly(vinylidene) fluoride or poly(vinylidene) fluoride-co-hexafluoropropylene.

18. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein, the electrolyte salt includes $LiPF_6$ or $LiBF_4$.

19. (Previously Presented) The non-aqueous electrolyte battery according to claim 7, wherein the non-aqueous solvent contains ethylene carbonate.

20. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the first gas adsorbing carbon material ~~carbonaceous material is~~ admixed to the anode mixture layer is effective to adsorb gas.

21. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein the electrolyte includes an organic high molecular weight material.

22. (New) The non-aqueous electrolyte battery according to claim 1, wherein the anode active material includes graphite.